S T A T E O F N E W Y O R K

1205--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. PAULIN, MARKEY, TITONE, KAVANAGH, JAFFEE, OTIS -- Multi-Sponsored by -- M. of A. GLICK, MILLER, WEISENBERG -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to administrative hearings and processes for pet dealers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 4 of section 404 of the agriculture and markets law, as added by chapter 259 of the laws of 2000, is amended to read as follows:

4. Before any license shall be suspended or revoked, the commissioner, or any hearing officer he or she may designate, shall hold a hearing, upon due notice to the licensee, in accordance with any regulations promulgated by the department and in accordance with articles three and four of the state administrative procedure act. WHERE A LICENSEE HAS THREE CONSECUTIVE INSPECTIONS IN WHICH THE LICENSEE HAS FAILED TO CORRECT DEFICIENCIES OF A CRITICAL NATURE, PURSUANT TO THIS SECTION, THE COMMISSIONER SHALL HOLD A HEARING TO CONSIDER THE SUSPENSION OR REVOCATION OF THE PET DEALER LICENSE. NOTHING IN THIS SECTION SHALL PROHIBIT THE COMMISSIONER FROM TAKING ADDITIONAL ACTIONS AS OTHERWISE PERMITTED BY THIS SECTION REGARDING SUCH LICENSES PRIOR TO THE OCCURRENCE OF THREE CONSECUTIVE INSPECTIONS IN WHICH THE LICENSEE HAS FAILED TO CORRECT DEFICIENCIES OF A CRITICAL NATURE.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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